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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,465	03/23/2004	Takahiro Kitajima	492322017200	1695

7590  
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11/21/2007

EXAMINER
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WAGGONER, TIMOTHY R

ART UNIT	PAPER NUMBER
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3651

MAIL DATE	DELIVERY MODE
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11/21/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/806,465

Applicant(s)

KITAJIMA ET AL.

Examiner

Timothy R. Waggoner

Art Unit

3651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-20 is/are pending in the application.
- 4a) Of the above claim(s) 8-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed with respect to claim 1 have been fully considered but they are not persuasive. Applicant argues that the combination of Mohara/Yamaguchi does not disclose setting the stop position once based on the head component. However Yamaguchi teaches adjusting picking setup based on the head component, he goes on to disclose that his device is capable of making further adjustment if needed. The only time Yamaguchi readjusts after the head component is if a subsequent component is not aligned the same way. So if a component tape is being fed of a single component with a fixed pitch and spacing no further adjustment would be needed after said head component. For at least these reasons claim 1 stands rejected.

Applicant's arguments filed with respect to claim 4 have been fully considered but they are not persuasive. Applicant argues that examiner failed to properly explain his rejection of claim 4. However figure 3 described the various pick positions for each size of component, in addition figure 18 shows the setup for a center pick position. For at least these reasons claim 4 stands rejected.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1,2 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mohara et al. USPN 5,342,474 in view of Yamaguchi USPN 6,631,552.

Mohara discloses a dispenser comprising:

(Re claim 1) "a tape feeding system with a drive source ... being adjustable for a plurality of pitches" (figure 7). "a suppressor formed with an opening" (1 figure 11). "a control device setting a feed stop position ... closer to an edge ... smaller than a pre determined size" (figure 15-18).

Mohara does not disclose adjusting the positioning based on the first component of a new tape.

Yamaguchi teaches using the first component to modify the position once based on the first component of a new tape.

It would be obvious to one skilled in the art to modify Mohara to make a position adjustment based on the position of the first component on a new tape.

(Re claim 2) "a shutter ... configured to open when the electronic component is picked" (126 figures 10 and 11, Mohara).

(Re claim 4) "the control device sets the feed position at the center of the opening when the electronic component is larger than the predetermined size" (figure 13, Mohara).

(Re claim 5) "opening is configured so that the electronic component is picked up by a suction nozzle" (13 figure 7, Mohara).

(Re claim 6 and 7) Mohara does not disclose the aid of a recognition camera in the positioning process

Yamaguchi teaches the use of a recognition camera to aid or automate the position adjustment for parts pick up.

It would be obvious to one skilled in the art to modify Mohara to include a recognition camera because it would allow for closer inspection of components to allow for automatic adjustment or to aid the operator in adjusting the feed stop position.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy R. Waggoner whose telephone number is (571) 272-8204. The examiner can normally be reached on Mon-Thu 8am-2pm.

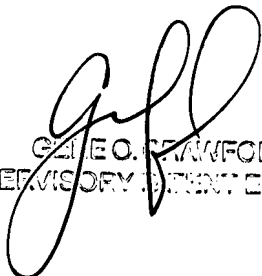
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TRW

  
G. E. CRAWFORD  
SUPERVISORY PATENT EXAMINER